

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARCOS OTON-MORA,

Defendant.

8:12CR66

ORDER

This matter is before the court on the motion for an extension of time by defendant Marcos Oton-Mora (Oton-Mora) (Filing No. 15). Oton-Mora seeks an additional thirty days in which to file pretrial motions in accordance with the progression order. Oton-Mora has filed an affidavit wherein he consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Upon consideration, the motion will be granted.

IT IS ORDERED:

Defendant Oton-Mora's motion for an extension of time (Filing No. 15) is granted. Oton-Mora is given until **on or before February 12, 2013**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motions and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motions, i.e., **the time between January 8, 2013, and February 12, 2013**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 8th day of January, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge